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JUL 23 2008  
Clerk, U.S. District Court  
Anchorage, A.K.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

PAUL G. SHEARER	)	
	)	
Plaintiff,	)	No. 3:03-cv-00263-CV-JKS
	)	(CONSOLIDATED)
V.	)	
	)	
UNITED STATES OF AMERICA,	)	ORDER
DIRK KEMPTHORNE, Secretary of	)	
of Interior, the DEPARTMENT	)	
OF THE INTERIOR, the NATIONAL	)	
PARK SERVICE.	)	
	)	
Defendants.	)	

IT IS HEREBY ORDERED that the United States' Motion to Dismiss Case No. 3:03-cv-00269-JKS filed July 15, 2008, is granted.

IT IS FURTHER ORDERED THAT:

1. The consolidation of case of *United States v. 3.05 Acres of Land et al.*, No. 3:03-cv-00269-JKS, with *Paul G. Shearer v. United States et al.*, No. 3:03-cv-00263-JKS, is hereby severed and *United States v. 3.05 Acres of Land et al.*, No. 3:03-cv-00269-JKS, is hereby dismissed with prejudice, and

2. Pursuant to paragraph 5 of the Settlement Agreement (Docket Entry No. 137) filed March 12, 2008, and the Order (Docket Entry No. 138) filed March 27, 2008, proceedings in *Paul G. Shearer v. United States et al.*, No. 3:03-cv-00263-JKS, remain stayed pending a final decision by the Department of the Interior in the proceedings in *United States v. Michael R. Mark Anthony*, No. AA-71472, IBLA No. 2008-184, and

Shearer v. U.S.  
No. 3:03-00263-JKS (Consolidated)  
Order

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Certified to be a true and correct copy  
of original filed in my office.  
Dated July 23, 2008  
IDA ROMACK, Clerk  
By [Signature] Deputy

3. Plaintiff Paul G. Shearer shall file a status report within ten days of the final resolution of proceedings in *United States v. Michael R. Mark Anthony*, No. AA-71472, IBLA No. 2008-184.

Dated this 22nd day of July 2008.

/s/James K. Singleton, Jr.  
JAMES K. SINGLETON, Jr.  
United States District Judge